

Gig Harbor City Council Meeting



May 11, 1998

7:00 P.M., CITY HALL COUNCIL CHAMBERS

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
May 11, 1998 - 7:00 p.m.

CALL TO ORDER:

PUBLIC HEARING: Proposed Zoning District Amendments – Westside Area.

APPROVAL OF MINUTES:

CORRESPONDENCE / PROCLAMATIONS:

1. Pierce Transit – Election of Phil DeLeo to Board of Commissioners.

OLD BUSINESS:

1. Second Reading of Ordinance – Amendments to City of Gig Harbor Zoning District Map, Westside Area (Planning Commission Recommendations).
2. Second Reading of Ordinance – Proposed Revisions to Chapter 18.04, SEPA Policies.

NEW BUSINESS:

1. Jerisich Park Dock – Amendment to Consultant Services.
2. Printer Purchase.
3. Payroll Systems Upgrade.
4. Liquor License Acquisition – Stockmarket Foods.

PUBLIC COMMENT/DISCUSSION:

MAYOR'S REPORT: Council Retreat Notice.

COUNCIL COMMENTS:

STAFF REPORTS:

ANNOUNCEMENTS OF OTHER MEETINGS:

1. Pierce County Council District 7 Meeting – May 12th, 7:00 p.m. at the Pt. Fosdick Branch Library.
2. Second Council meeting in May – Tuesday, May 26th due to Memorial Day.

APPROVAL OF BILLS:

APPROVAL OF PAYROLL:

EXECUTIVE SESSION: For the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).

ADJOURN:

DRAFT

REGULAR GIG HARBOR CITY COUNCIL MEETING OF APRIL 27, 1998

PRESENT: Councilmembers Ekberg, Young, Platt Owel, Dick, Picinich, Markovich and Mayor Wilbert.

CALL TO ORDER: 7:04 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of April 13, 1998 as presented.
Picinich/Young -- unanimously approved.

CORRESPONDENCE/PROCLAMATIONS: Mayor Wilbert asked the Councilmembers to check the reading file in the copy room for correspondence that arrived too late to be included in the packet.

OLD BUSINESS:

1. Second Reading of Ordinance Amending GHMC 9.26.050 – Domestic Violence. Mitch Barker, Chief of Police, introduced this ordinance to amend GHMC Section 9.26.050 to bring it current with state law.

MOTION: Move to adopt Ordinance No. 789.
Owel/Picinich -- unanimously approved.

NEW BUSINESS:

1. Gig Harbor North – Water UILD Request. Mark Hoppen, City Administrator, explained that the preannexation agreement with Gig Harbor North included provision for water transmission and storage facilities. He added that he had received a letter from First Western Development Services requesting the formation of a ULID for these water improvements. He explained that the first step would be to develop a preformation agreement with the property owners so that certain costs, other than construction costs, could be recovered if the ULID was formed.

MOTION: Move to direct Legal Counsel to draft a preformation agreement addressing the requested water improvements with the review of the Public Works Director.
Picinich/Owel – unanimously approved.

2. First Reading of Ordinance – Planning Commission Recommendation, Pre-annexation Zoning for the Purdy Area. Ray Gilmore, Planning Director, presented the Planning Commission's recommendations on a pre-annexation zoning plan for the Purdy

community, which became part of the Urban Growth Area in 1995. He added that this would return for a second reading at the next meeting.

Paul Cyr. Mr. Cyr explained that he was representing Dave Morris, a property owner in the Purdy area that would be affected by the pre-annexation zoning. He said that they concur with the recommendations, and thanked Council for their time.

3. First Reading of Ordinance – Planning Commission Recommendation, Zoning District Amendments for the Westside. Ray Gilmore presented these recommended zoning changes for areas that became part of the city in the latest annexation. Utilizing an overhead projector, he compared the land use recommendations submitted by the Westside Subarea Committee and the final recommendations from the Planning Commission to the City Council.

Paul Cyr, Land Use Consultant. Mr. Cyr explained that he was representing Fred and Dorothy Stroh. He voiced his concerns that some of the recommendations made by the Westside Subarea Committee had been overturned by the Planning Commission. He gave the reasons that he believed that the zoning for the Stroh's property east of SR-16 should be zoned C-1 rather than B-2 as proposed by the Planning Commission. He asked Council to hold a public hearing on the ordinance before the final decision was made.

Ray Gilmore answered Council's questions regarding these properties and the following motion was made.

MOTION: Move we schedule a public hearing and second reading on this ordinance for the May 11th City Council meeting.
Young/Ekberg – unanimously approved.

4. First Reading of Ordinance – Proposed Revisions to Chapter 18.04, SEPA Policies. Ray Gilmore introduced this ordinance updating the City's Environmental Policy to reflect changes to the State SEPA regulations effective last year. He added that Staff had one additional recommendation to delete the posting requirements for SEPA notice, because the city currently provides ample notification during the public review process, and added that very few other jurisdictions in Pierce County post for environmental policy decisions. Councilmember Owel asked if the public depends on posting for notice procedures. Mr. Gilmore explained that most of the interest is generated through the mailings to property owners within 300 feet. Councilmember Owel said posting was important for those who live beyond the 300 feet limit. Councilmember Markovich discussed the importance of specifying the size and type of posting in any posting provisions. This will return for a second reading at the next meeting.
5. Street Pavement Marking – Contract Award. Wes Hill, Public Works Director, explained that two contractors had responded to the request for bids to restripe the arterial streets and recommended awarding the contract to the lowest bidder. Councilmember

Markovich asked what it would cost to purchase the striping equipment and perform the work in-house. Mr. Hill explained that it was a costly piece of equipment sitting idle for most of the year, but added that he would look into the cost effectiveness of purchasing the equipment and the possibility of sharing it with another city.

MOTION: Move to execute a contract for Pavement Marking on City Streets – '98 to Apply-A-Line, Inc., for \$17,296.48.
Picinich/Platt – unanimously approved.

6. Destination Identification and Mapping. Mayor Wilbert introduced this resolution requesting that the North Harborview business district be given a name that would identify it on any maps highlighting points of interest in the city. She added that she had received several petitions requesting that this area be called the Finholm Market Place. Discussion on the spelling of the title led to the following motion.

MOTION: Move to approve Resolution No. 516, designating the business area on North Harborview as *Finholm's Marketplace* on future maps.
Picinich/Owel – unanimously approved.

7. Liquor License Assumption – Spiro's Pizza. No action taken.
8. Discontinuation of Liquor Sales – Captain's Terrace. No action taken.

PUBLIC COMMENT:

Don Estes. Mr. Estes explained that he had recently moved to the Peacock Hill Mobile Home Park, where they recently lost a member of their neighborhood in an accident as she walked along Peacock Hill. He voiced his concerns about the speeding traffic along Peacock Hill and requested that the city do something about lowering the speed in that area.

COUNCIL COMMENTS:

MAYOR'S REPORT: Pedestrian Safety.

Mayor Wilbert read her report addressing the need to enhance the safety of city pedestrians. She talked about working with the Public Works Department to create driver alert courtesy signage for entrances into city limits. Councilmembers also voiced their concerns regarding speeding in various areas within the city. Wes Hill explained that traffic studies are currently being done and that they are awaiting the computer reports to be able to report back to Council with recommendations for speed limit changes throughout the city.

STAFF REPORT:

1. Dave Rodenbach, Finance Director – Quarterly Report. Mr. Rodenbach gave an overview of the first quarter report and added that there was nothing significant to bring to Council's attention.

ANNOUNCEMENT OF OTHER MEETINGS:

1. Pierce County Council District #7 Meeting – May 12th, 7:00 p.m. at the Pt. Fosdick Branch Library.
2. Council Retreat – Thursday, May 21st, from 2:00 p.m. to 7:00 p.m. at the Inn at Gig Harbor.

APPROVAL OF BILLS:

MOTION: Move approval of checks #19922 through #20023, except warrant #20000 which was voided, in the amount of \$106,800.89.
Young/Platt - unanimously approved.

EXECUTIVE SESSION:

MOTION: Move to adjourn to Executive Session at 8:05 p.m. for approximately 15 minutes for the purpose of discussing property acquisition per RCW 42.30.110, (b) and litigation per RCW 42.30.110 (i).
Young/Platt – unanimously approved.

MOTION: Move to return to regular session at 8:20 p.m.
Picinich/Platt – unanimously approved.

MOTION: Move we authorize Mr. Hoppen to work with Mr. Rodman in purchasing the Wilkinson Property for whatever the appraised value.
Picinich/Owel – Councilmembers Ekberg, Young, Owel, Dick, Picinich and Markovich voting in favor. Councilmember Platt voting against. The motion carried.

ADJOURN:

MOTION: Move to adjourn at 8:25 p.m.
Platt/Owel - unanimously approved.

Cassette recorder utilized.
Tape 494 Side A 143 – end.
Tape 494 Side B 000 – end
Tape 495 Side A 000 – 097.

Mayor

City Clerk



RECEIVED

MAY - 5 1998

CITY OF GIG HARBOR

May 4, 1998

The Honorable
Gretchen Wilbert, Mayor
City of Gig Harbor
3105 Judson Street
Gig Harbor WA 98335

Dear Mayor Wilbert:

This is to inform you that Phil DeLeo of the City of Bonney Lake was elected to the Board of Pierce Transit, representing the fourteen small cities and towns within the Pierce Transit boundary.

The tabulation of ballots was as follows:

Linda Bird	1
Mike Deal	3
Phil DeLeo	5
David Viafore	4
Abstention	1

Your timely cooperation in this election process has been greatly appreciated.

Sincerely

Acting for:
Sandy Byers, CMC
Clerk of the Board

cc: Board of Commissioners
Don S. Monroe, Executive Director
Molly M. Towslee, City Clerk



City of Gig Harbor. The "Maritime City"

DEPARTMENT OF PLANNING & BUILDING SERVICES
3125 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-4278

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: RAY GILMORE, DIRECTOR, PLANNING-BUILDING DEPARTMENT
SUBJ.: PROPOSED ZONING DISTRICT AMENDMENTS FOR THE WESTSIDE -
PUBLIC HEARING
DATE: MAY 6, 1998

INTRODUCTION/BACKGROUND

At the last regular meeting of the City Council, Council voted to conduct a public hearing on proposed zoning district amendments in the Westside area. Staff has attached the Planning Commission's findings and recommendation (Resolution No. 2 of 1998) on proposed zoning district amendments to specific parcels in the Westside area of the City. This area was annexed to the City in March of 1997.

POLICY CONSIDERATIONS

The Planning Commission conducted a public hearing on the proposed on March 5, 1998. The Planning Commission did not accept all of the Westside subarea committee's recommendations. A comparison of the Planning Commission's recommendation respective to the Westside Subarea Committee recommendation is given in the table.

At the last Council meeting, testimony was given respective to Areas A and B. The issue presented by Mr. Paul Cyr was the Planning Commission's deviation from the original recommendation of the Westside Subarea committees for these two areas. Support was offered for the original recommendation of the Westside Subarea Committee.

Area	Westside Subarea	Planning Commission
Area A - Hunt Street, bordered on the east by SR-16.	RB-2 to C-1	RB-2 to B-2
Area B - Stroh's feed lot and nursery.	B-2 to C-1	Leave as B-2
Area C - a five acre parcel which has a vested (Pierce County) site plan approval. West of Gig Harbor Ford body shop.	RB-2 to C-1	RB-2 to C-1
Area D - South of Olympic Drive, just west of Harbor Plaza.	RB-2 to B-2	RB-2 to B-2

Table 1. Recommendations of the Westside Subarea Committee and the City Planning Commission.

Council should refer to the Planning-Building Staff Report of February 25 to the Planning Commission for specific information.

FISCAL CONSIDERATIONS

The adoption of this ordinance would not have a direct fiscal impact on the city.

RECOMMENDATION

This is the second reading of the ordinance. Following the public hearing, Council may adopt or modify the Planning Commission recommendation.

Summary of Comments from March 5, 1998 Planning Commission Hearing Zoning District Amendments

Paul Cyr – Supports Westside Sub-area Planning Committee recommendations. Requests that the Planning Commission consider amending Stroh's property north of Hunt Street from RB-2 to B-2 (which was not a part of the Westside Subarea Committee recommendation).

Burt Talcott – submitted letter. Requests that any amendments do not go beyond what was recommended.

James Paisan – Please accept Westside Subarea recommendation. We all came to compromise to get this.

Mike Rabastof – Support Westside recommendation. Had a question about Chapter 13.34.

Charlie Martin – resident, supports Westside subarea recommendation. Concerns about traffic in the area, not sure if this is the proper forum.

Summary of Comments from Planning Commission Worksession of April 19, 1998 Proposed Zoning District Amendments

Purdy Area

No discussion. No changes. Recommend as proposed.

Westside Area

Concern about designating the RB-2 around Hunt Street to C-1. C-1 allows more intense uses and also permits outdoor storage and sales (vehicles, RV's boats). B-2 requires all to be within enclosed buildings. Fee that this is more appropriate, given the freeway visibility and the proximity to residential neighborhoods. The Stroh property east of SR-16 is surrounded by B-2 on the north. Do not see the justification in upzoning this to C-1. Existing use is pre-existing.

Motion 1

Area A be redesignated from RB-2 to B-2: 3 in favor, 1 opposed.

Motion 2

Area B be left as is (B-2): 4 in favor, 0 opposed.

Motion 3

Area C be redesignated from RB-2 to C-1: 4 in favor, 0 opposed

Motion 4

Area be redesignated from RB-2 to B-2: 4 in favor, 0 against.

**CITY OF GIG HARBOR PLANNING COMMISSION
RESOLUTION # 2 OF 1998**

**A RESOLUTION OF THE CITY OF GIG HARBOR PLANNING
COMMISSION RECOMMENDING ADOPTION BY THE GIG
HARBOR CITY COUNCIL OF PROPOSED AMENDMENTS TO
THE CITY OF GIG HARBOR ZONING DISTRICT MAP
COMMERCIAL PROPERTIES WITHIN THE WESTSIDE AREA.**

WHEREAS, the City of Gig Harbor completed an update of the Comprehensive Plan in November of 1994 in compliance with the Growth Management Act of 1990; and,

WHEREAS, the City of Gig Harbor Comprehensive Plan applied land-use designations for the City as well as the unincorporated areas within the Urban Growth Area; and,

WHEREAS, the Westside area was annexed to the City in March of 1997, and that prior to annexation, the City adopted ordinance No. 734 (August, 1996), which established a "pre-annexation" zoning map for the area; and,

WHEREAS, following annexation, a local citizens planning committee consisting of representatives from the residential neighborhoods and the business community was formed in July of 1997 by direction of the Mayor of the City of Gig Harbor to review and recommend, amongst other issues, proposed zoning district changes for this area; and,

WHEREAS, the Westside Subarea Planning Committee conducted four open public meetings from September through October of 1997; and,

WHEREAS, the committee recommended that several parcels designated as commercial-business in the City of Gig Harbor Comprehensive Plan within the business district be rezoned; and,

WHEREAS, in a staff report dated February 25, 1998, the Planning and Building Services Department recommended that the City of Gig Harbor Zoning District map be amended as per the recommendation of the Westside Subarea Planning Committee; and,

WHEREAS, the Planning Commission finds that several goals in the Comprehensive Plan relate to economic development and job opportunities within the city and its UGA and that increasing the availability of commercially zoned lands for those areas

considered suitable by the Comprehensive Plan serves to implement the City's adopted economic development policies; and,

WHEREAS, the proposed zoning amendments for the Westside areas as recommended by the Planning Commission are consistent with the goals, policies and objectives of the City of Gig Harbor Comprehensive Plan; and,

WHEREAS, the C-1 and B-2 districts as proposed in the Westside area require that a 30 vegetated buffer be retained between the commercial use and the adjacent residential use or zone; and,

WHEREAS, a C-1 district provides for more intensive uses than a B-2 district; and,

WHEREAS, the Planning Commission finds that where adjacent to an existing residential development or located along the SR-16 corridor outside of the freeway interchanges, the less intensive B-2 designation should be applied; and,

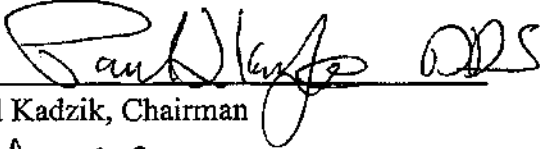
WHEREAS, a B-2 designation provides that all business be conducted within enclosed buildings whereas a C-1 district permits outdoor storage and sales; and,

WHEREAS, adopted performance standards under current City of Gig Harbor Municipal Code are sufficient to minimize impacts to adjacent residential properties; and,

WHEREAS, on January 23, 1998, notice of the proposed amendments to the City's Development Regulations was provided to Local and State Agencies as required pursuant to RCW 36.70A

NOW, THEREFORE BE IT RESOLVED by the City of Gig Harbor Planning Commission that the Gig Harbor City Council adopt the proposed amendments to the City of Gig Harbor Zoning District Map as per the attached Exhibit "A".

PASSED this 2nd day of April 1998, by the City of Gig Harbor Planning Commission of those present at its regular meeting.



Paul Kadzik, Chairman

Date April 2, 1998.

Planning Commission Recommendation
Proposed Zoning District Amendments
Westside Area

Section 8, Township 21 N. Range 2 E.Wm.
Parcels proposed to be amended from RB-2 to B-2

02-21-08-3-024
02-21-08-3-032
02-21-08-3-034
02-21-08-3-054
02-21-08-3-070
02-21-08-3-071
02-21-08-3-133

Section 17, Township 21 N. Range 2 E.Wm.
Parcel proposed to be amended from RB-2 to B-2

02-21-17-2-006

Parcels proposed to be amended from RB-2 to C-1

02-21-17-2-088
02-21-17-2-089

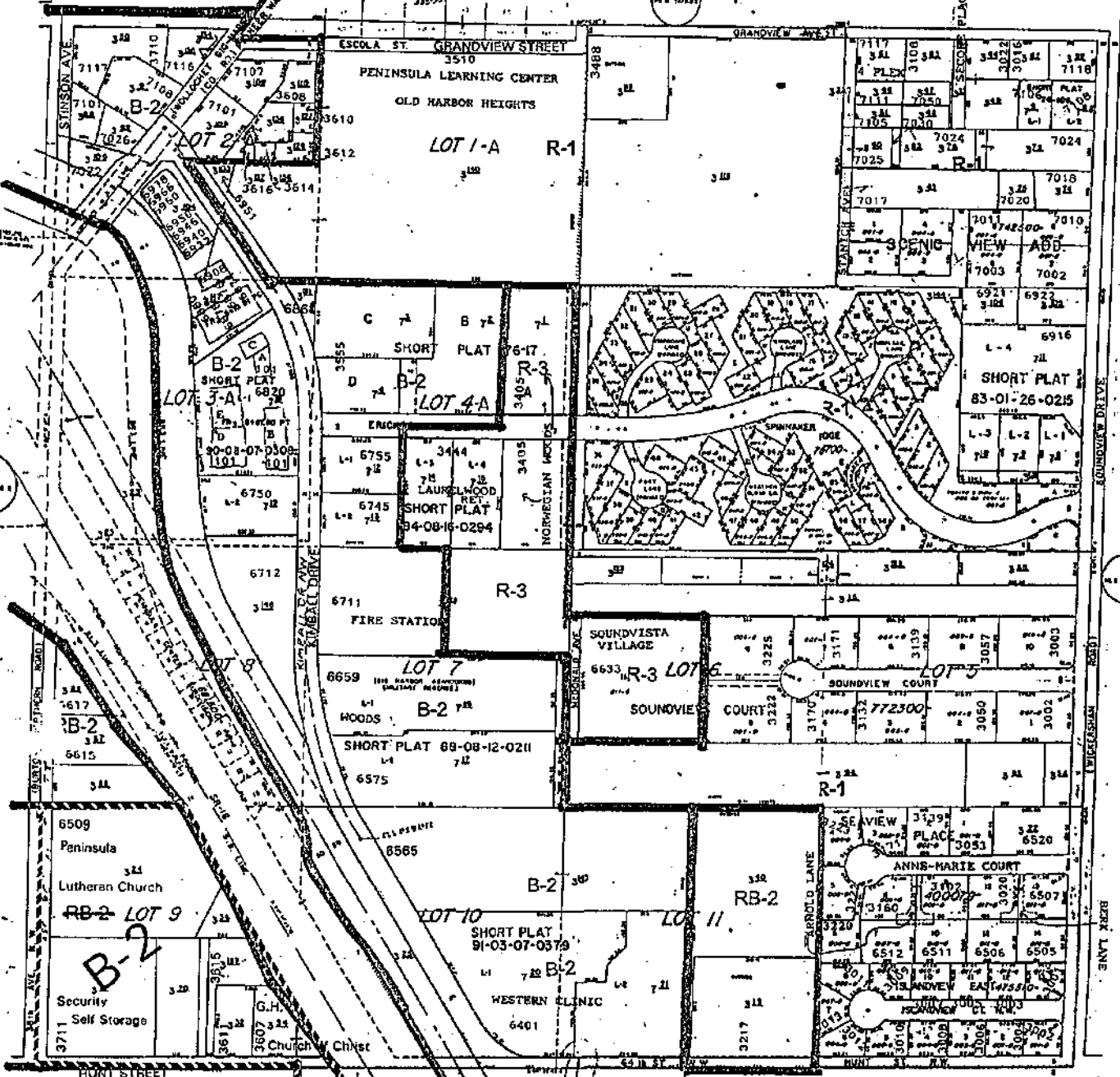
Parcels proposed to be amended from RB-2 to B-2

02-21-17-3-047
02-21-17-3-048
02-21-17-3-078
02-21-17-7-001
02-21-17-7-002
02-21-17-7-003
02-21-17-7-004
02-21-17-7-017
02-21-17-7-018
02-21-17-7-019
02-21-17-7-020
02-21-17-7-025
02-21-17-7-026
02-21-17-7-027
02-21-17-7-036

Westside District

PLANNING COMMISSION
RECOMMENDATION

21



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SW 8 T 21 N R 2 E

SCALE

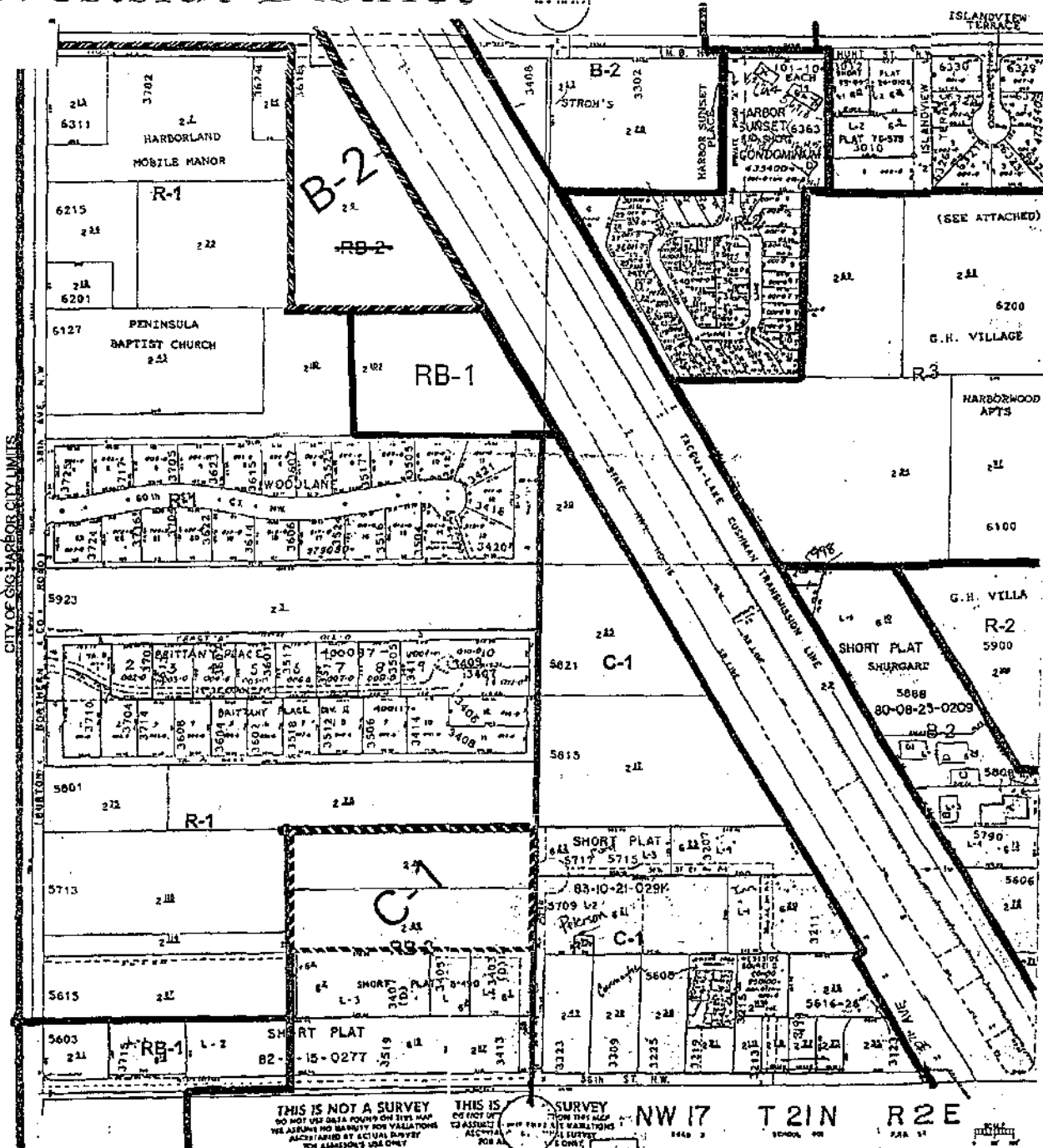
Westside District

26

PLANNING COMMISSION
RECOMMENDATION

Proposed Zoning
District Amendments
March 1998

Zoning Amendment Boundary



THIS IS NOT A SURVEY
DO NOT USE DATA FROM THIS MAP
FOR ANY PURPOSES
NEARLY NO WARRANTY FOR VARIATIONS
ACCEPTED BY ACTUAL BUYER
FOR ALTERNATE USE ONLY

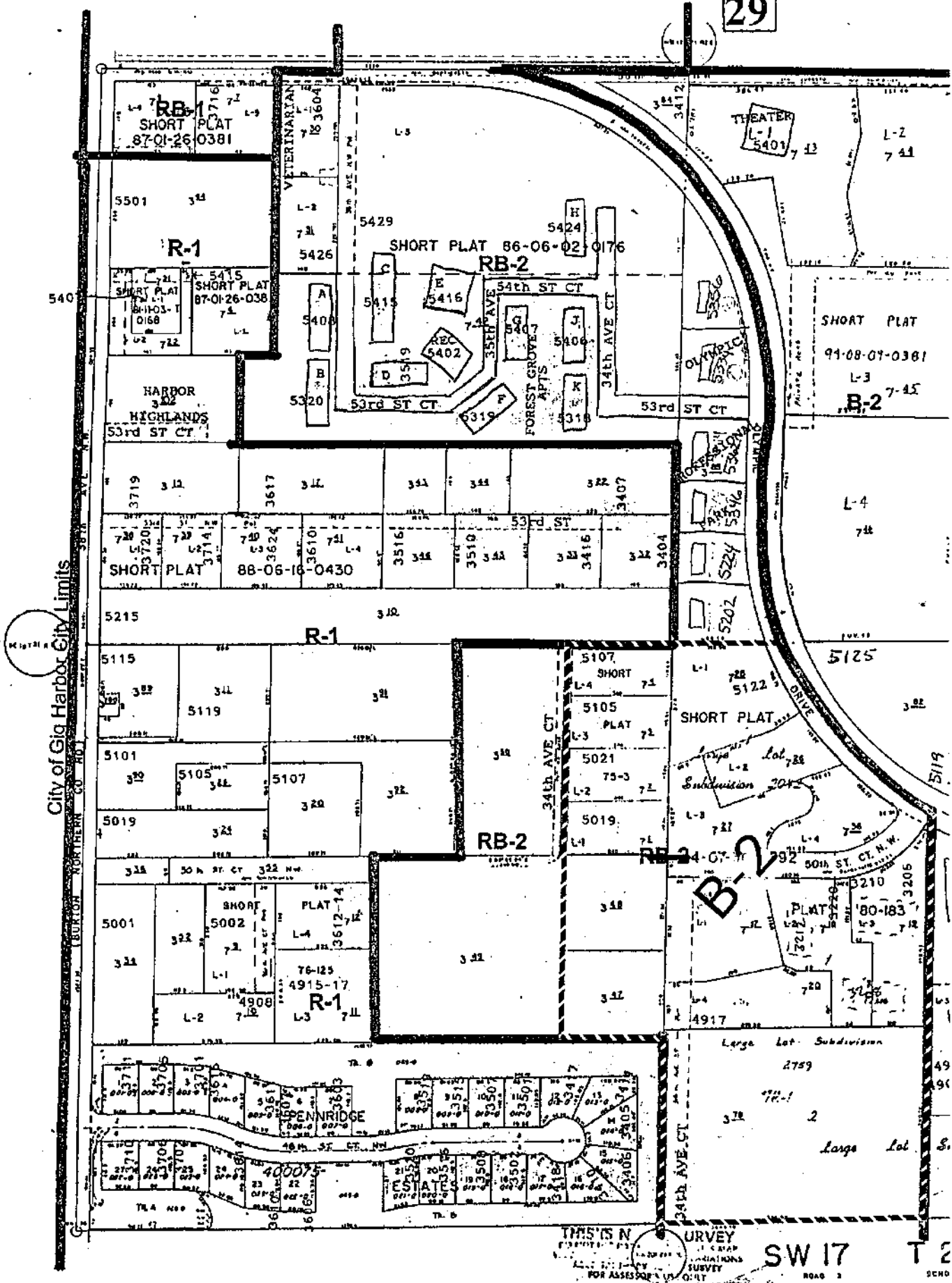
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FOR ALTERNATE USE ONLY

NW 17 T 21 N R 2 E

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Westside District

29



ORDINANCE NO. _____

AN ORDINANCE GIG HARBOR CITY COUNCIL ADOPTING AMENDMENTS TO THE CITY OF GIG HARBOR ZONING DISTRICT MAP FOR CERTAIN COMMERCIAL PROPERTIES WITHIN THE WESTSIDE AREA.

WHEREAS, the City of Gig Harbor completed an update of the Comprehensive Plan in November of 1994 in compliance with the Growth Management Act of 1990; and,

WHEREAS, the City of Gig Harbor Comprehensive Plan applied land-use designations for the City as well as the unincorporated areas within the Urban Growth Area; and,

WHEREAS, the Westside area was annexed to the City in March of 1997, and that prior to annexation, the City adopted ordinance No. 734 (August, 1996), which established a "pre-annexation" zoning map for the area; and,

WHEREAS, following annexation, a local citizens planning committee consisting of representatives from the residential neighborhoods and the business community was formed in July of 1997 by direction of the Mayor of the City of Gig Harbor to review and recommend, amongst other issues, proposed zoning district changes for this area; and,

WHEREAS, the Westside Subarea Planning Committee conducted four open public meetings from September through October of 1997; and,

WHEREAS, the committee recommended that several parcels designated as commercial-business in the City of Gig Harbor Comprehensive Plan within the business district be rezoned; and,

WHEREAS, in a staff report dated February 25, 1998, the Planning and Building Services Department recommended that the City of Gig Harbor Zoning District map be amended as per the recommendation of the Westside Subarea Planning Committee; and,

WHEREAS, the Planning Commission finds that several goals in the Comprehensive Plan relate to economic development and job opportunities within the city and its UGA and that increasing the availability of commercially zoned lands for those areas considered suitable by the Comprehensive Plan serves to implement the City's adopted economic development policies; and,

WHEREAS , the proposed zoning amendments for the Westside areas as recommended by the Planning Commission are consistent with the goals, policies and objectives of the City of Gig Harbor Comprehensive Plan; and,

WHEREAS, the C-1 and B-2 districts as proposed in the Westside area require that a 30 vegetated buffer be retained between the commercial use and the adjacent residential use or zone; and,

WHEREAS, a C-1 district provides for more intensive uses than a B-2 district; and,

WHEREAS, the Planning Commission finds that where adjacent to an existing residential development or located along the SR-16 corridor outside of the freeway interchanges, the less intensive B-2 designation should be applied; and,

WHEREAS, a B-2 designation provides that all business be conducted within enclosed buildings whereas a C-1 district permits outdoor storage and sales; and,

WHEREAS, adopted performance standards under current City of Gig Harbor Municipal Code are sufficient to minimize impacts to adjacent residential properties; and,

WHEREAS, on January 23, 1998, notice of the proposed amendments to the City's Development Regulations was provided to Local and State Agencies as required pursuant to RCW 36.70A

THE CITY COUNCIL OF THE CITY OF GIG HARBOR DO ORDAIN AS FOLLOWS:

Section 1. The City of Gig Harbor Zoning District Map is amended as follows:

Section 8, Township 21 N. Range 2 E.Wm.

Parcels proposed to be amended from RB-2 to B-2

02-21-08-3-024;02-21-08-3-032;02-21-08-3-034;02-21-08-3-054;02-21-08-3-070;
02-21-08-3-071;02-21-08-3-133

Section 17, Township 21 N. Range 2 E.Wm.

Parcel proposed to be amended from RB-2 to B-2

02-21-17-2-006

Parcels proposed to be amended from RB-2 to C-1

02-21-17-2-088; 02-21-17-2-089

Parcels proposed to be amended from RB-2 to B-2

02-21-17-3-047;02-21-17-3-048;02-21-17-3-078;02-21-17-7-001;02-21-17-7-002;
02-21-17-7-003;02-21-17-7-004;02-21-17-7-017;02-21-17-7-018;02-21-17-7-019;
02-21-17-7-020;02-21-17-7-025;02-21-17-7-026;02-21-17-7-027;02-21-17-7-036

Section 2. The Official City of Gig Harbor Zoning Map is amended as per exhibit 'A', attached.

Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. This ordinance shall be in full force and effect five days after it's passage and publication as required by law.

APPROVED:

MAYOR, GRETCHEN A. WILBERT

MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

SUMMARY OF ORDINANCE NO. _____

of the City of Gig Harbor, Washington

On the ___ day of _____, 1998, the City Council of the City of Gig Harbor, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE GIG HARBOR CITY COUNCIL ADOPTING AMENDMENTS TO THE CITY OF GIG HARBOR ZONING DISTRICT MAP FOR CERTAIN COMMERCIAL PROPERTIES WITHIN THE WESTSIDE AREA.

The full text of this Ordinance will be mailed upon request.

DATED this _____ day of _____, 1998.

MOLLY TOWSLEE, CITY CLERK



City of Gig Harbor. The "Maritime City"

DEPARTMENT OF PLANNING & BUILDING SERVICES
3125 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-4278

RECEIVED
CITY OF GIG HARBOR

MAY 01 1998

PLANNING AND BUILDING
SERVICES

**CITY OF GIG HARBOR CITY COUNCIL
NOTICE OF PUBLIC HEARING
PROPOSED AMENDMENTS TO CITY OF GIG HARBOR ZONING
DISTRICT MAP**

Notice is hereby given that the City of Gig Harbor City Council will conduct a public hearing at Gig Harbor City Hall, 3105 Judson Street, Gig Harbor, on **Monday, May 11, 1998, at 7:00 PM** on proposed amendments to the City of Gig Harbor Zoning District Map. The proposed amendments consist of changes to the Planning Commission's recommendation on rezones of land within the Westside Business district of the City.

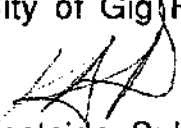
Interested persons are invited to attend the public hearing and make their views known on the proposal. Written comments are encouraged and must be submitted by no later than the date of the public hearing. Documents pertinent on the proposal are available for inspection at the City's Planning and Building Department, 3125 Judson Street, Gig Harbor, during normal business hours, Monday through Friday.

*Amended letter dated 3/6/98 is
submitted to council for my favor
public record.*

A. A. Lane 4/30/98

March 6, 1998

To: Members - City of Gig Harbor Planning Commission

From: Jim Pasin 
Member Westside Sub-area Planning Committee

Re: Westside Annexation Area Zoning Recommendations Hearing

Your open approach at the hearing last evening is appreciated. I think it allowed a good exchange of information.

The concerns expressed by Kay and Dick have some justification and show the appropriate level of protecting existing neighborhoods and businesses.

As pointed out, the Stroh's property has been used commercially for many years. It is actually the residential neighborhood (townhouses) that has developed and encroached upon the commercially designated and used property. So, in my opinion we should not take a protectionist zoning approach on this commercial property to further protect the now developed residential area.

In some other areas of the city, commercial zoning RB-1 thru C-1 have been designated, and commercial development has been slow within the areas. However, faster residential development has pushed up against the non-developed commercial properties knowing full well future commercial development will take place. It would not be appropriate to down zone the commercial properties because the residential development took place first. You would not even think of the reverse!

As you may know, I live and work on the Westside. Burt and Charlie, who spoke last evening and were on the subarea committee are my neighbors, we live in a nearby development. They are also neighbors of my business property. It is important to me to be sure a balance is designed and kept in the community. I do see it through both pairs of glasses.

It is with this in mind, that I recommend your approval to the Westside subarea zoning as recommended by our committee. Thanks for your consideration.



City of Gig Harbor. The "Maritime City"

DEPARTMENT OF PLANNING & BUILDING SERVICES
3125 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-4278

CITY OF GIG HARBOR PLANNING AND BUILDING SERVICES

REPORT TO THE CITY OF GIG HARBOR PLANNING COMMISSION

**PROPOSED AMENDMENTS TO THE CITY OF GIG HARBOR
ZONING DISTRICT MAP**

FEBRUARY 25, 1998

**ZONING DISTRICT MAP AMENDMENT FOR THE PURDY
COMMUNITY INTO THE CITY'S URBAN GROWTH AREA.**

Overview

The Purdy community inclusion into the urban growth area was accomplished in November of 1995 by Pierce County. In 1997, the Planning Commission considered land use designations for the Purdy area. Following the requisite public hearing, the Planning Commission forwarded a recommendation to the Gig Harbor Council for the adoption of land-use designations for the Purdy area. Following two public meetings, the City Council passed Ordinance No. 755, establishing City of Gig Harbor Comprehensive Plan land-use designations for the Purdy area. The adopted designations are Commercial-Business, Public-Institutional, Employment and Low Density Residential. A copy of the Comprehensive Plan land use map is attached.

The Purdy Area UGA encompasses approximately 348 acres, lying east of Henderson Bay/Burley Lagoon. The current uses within the area are varied and range from a small commercial strip along Purdy Drive NW (SR-302) adjacent to the shoreline, a high school and elementary school east of Purdy Drive NW, corporate office and equipment storage for Peninsula Light District, maintenance shops and equipment storage for the Pierce County Public Works Department and several small residential areas along the shoreline and adjacent to Purdy Drive NW and Goodnough Drive NW. The City proposes to apply City of Gig Harbor Zoning designations to this area as part of its UGA zoning map, consistent with the adopted comprehensive plan for this area.

Proposed Zoning

The proposed zoning for the area breaks-down as follows:

- 8 acres as Low-Density residential-business (RB-1).
- 17 acres as Retail (B-2) along Purdy Drive NW.
- 20 acres as Commercial (WC-Waterfront Commercial) along the waterfront .
- 64 acres as Employment Districts (ED), east of Purdy Drive NW.
- 72 acres as Public Institutional (PI), Peninsula School District .
- 167 acres as Low Density Residential (R-1).

A description of the zoning districts, along with a proposed zoning district map (Map #1), is attached to the addendum.

**ZONING DISTRICT MAP AMENDMENTS FOR THE WEST-SIDE
BUSINESS DISTRICT**

Overview

This area was annexed to the City in March of 1997. Prior to annexation, the City adopted ordinance No. 734 (August, 1996), which established a “pre-annexation” zoning map for the area. Following annexation, a local citizens planning committee was formed to review and recommend, amongst other issues, any proposed zoning district changes for this area. The Committee was composed of representatives of the business district and the residential neighborhoods within the area. The Committees’ recommendation to the Council is attached with the recommended zoning district changes highlighted.

Proposed Zoning

The committee recommended that several parcels within the business district be re-designated as follows:

- 22 acres from RB-2 (High intensity residential-business) and B-2 (Retail) to C-1 (General Commercial).
- 26 acres from RB-2 (High intensity residential-business) to retail-commercial (B-2).

The areas proposed for zoning district map changes are shown on the attached map as areas A, B, C and D.

Area A is proposed to be changed to C-1 from its current RB-2. The area has several small businesses and a mini-storage facility located north of Hunt Street and a small service retail located along SR-16. The area is designated as Commercial-Business under the City’s Comprehensive Plan. The area is bordered by residential designations to the south of Hunt Street.

The residential area consists of a mobile home park bordering the west line and a church bordering the south line of the rezone area. The east is bordered by SR-16.

Area B is Stroh's feed lot and nursery. This area is proposed to be changed from B-2 to C-1. It is bordered on the north by commercial zoned lands, on the east and south by high density residential, and on the west by SR-16.

Area C is a five acre parcel which has a vested (Pierce County) commercial/light industrial business park. It is proposed to be changed from RB-2 to C-1. It is bordered on the north by low density residential zoned land, on the east by commercial zoned land and on the south and west by RB zoned lands.

Area D is dominated by business offices which have a mix of business and some retail use. It is proposed to be changed from RB-2 to B-2. Adjacent zoning districts are commercial to the east, RB to the south, low density residential to the west and RB to the north.

None of the above described areas in the Westside area are classified as environmentally sensitive areas.

A zoning district map (Map #2) showing the proposed changes is attached to this addendum.

ANALYSIS

The Purdy area zoning was established by Pierce County after it was included in the city UGA in 1995. The County has established zoning designations similar to the city's designations, although the County designations provide for more intense development within the commercial (Community Centers) areas. The City zoning proposed does not supercede County designations and would not take effect unless the area is annexed to the City. There are no plans in the near future to consider annexation of the Purdy area. The zoning designations can also be used by the City Council as land-use performance standards when considering utility extension agreements for City sewer or water to private landowners. The City zoning designations are consistent with the City Comprehensive Plan Land Use Map designation for this area and are compatible with the County land use designations.

The Westside amendments are a recommendation of the Westside Subarea Planning Committee. The proposed amendments are consistent with the Comprehensive plan for the area.

Comprehensive Plan

The following sections of the City of Gig Harbor Comprehensive Plan are applicable to these proposed zoning district map amendments:

LAND USE

GOAL: MANAGE URBAN GROWTH POTENTIALS (Page 6)

Maintain a realistic balance between the land's capability, suitable potential and the public's ability to provide urban level services.

1. Capable Areas

- To the best degree possible, allocate high density/intensity urban development onto lands which are capable of supporting urban uses and which pose the fewest environmental risks.

2. Suitable Areas

- As much as possible, allocate urban development onto lands which are suitable for urban use and which have the least social value in an undeveloped state.
- To the extent feasible and necessary, locate high intensity urban uses away from sites which have significant archaeological, historical, cultural or special social significance.

3. Serviceable Areas

- Allocate urban uses onto capable, suitable lands which can be provided roads, sewer, water, storm drainage and other basic urban utilities and transportation facilities.

Commercial/Business (Page 8)

Commercial-Business

Provides primarily retail and wholesale facilities, including service and sales. Where appropriate, mixed-use (residential with commercial) may be permitted through a planned unit development process. Commercial-business activities consist of the following:

- Retail sales and services
- Business and professional offices
- Mini-warehousing

Commercial areas which border residential designations or uses should use available natural features as boundaries.

Natural features should serve as buffers, which may consist of standing timber, streams or drainage swales.

- A minimum buffer width should be 30 feet.

- The density and depth of the buffer should be proportional to the intensity of the use.

Waterfront – Purdy Area(Page 9)

Provides for a variety of mixed uses along the waterfront which are allowed under the City of Gig Harbor Shoreline Master Program and as more particularly defined under the zoning code. Generally, the lower intensity waterfront areas would favor residential and marinas while the more intense use waterfront areas would provide for higher density residential and commercial/retail uses.

Economic Development

1. Job creation (page 57)

Help create employment opportunities within the local economy, particularly for residents who now commute across the Tacoma Narrows Bridge to work. Participate with other public agencies and private interests in marketing projects, labor force training programs, and other efforts to attract new businesses to Pierce County and Gig Harbor Peninsula area.

GOAL: INCREASE LOCAL ECONOMIC OPPORTUNITIES (page 58)

Support local business development efforts and property investment projects and programs, and protect local economic opportunities. Provide for an increasing home-based business sector as more citizens rely upon this manner of livelihood as either their supplemental or primary economic means.

* * *

6. Small business development

* * *

Encourage local business development opportunities, particularly for small start-up business concerns which may be owned by or employ local residents. Promote the local use of special small business financing and management assistance programs. Help identify facilities which may be used for small business start-ups including older structures which may be suitably reused for business purposes.

Title 17 GHMC – Amendments to the Zoning Code

Pursuant to Section 17.100.035 (General Criteria for Zoning District Amendment). Requests for amending the zoning district designation of an area shall be based upon the following:

1. That the request for the zoning distinct reclassification is consistent with and furthers the goals policies and objectives of the comprehensive plan;

2. The requested zoning district classification or zoning code text change will further the public's health, safety and general welfare; and
3. That no substantial detrimental effect shall be caused by the granting of the requested reclassification or amendment.

STAFF RECOMMENDED FINDINGS

Staff recommends adoption of the following findings:

1. The Purdy area is a part of the City's Urban Growth Area (UGA) and is not subject to city land use standards until such time that the area may be annexed to the City.
2. The City zoning designations as applied to the Purdy area may be used by the City Council as performance standards for the contractual granting of city utilities to private property within the Purdy area.
3. The proposed zoning plan for the Purdy area is a reasonable representation of the city's land use designations as established in the City of Gig Harbor Comprehensive Plan, and as amended pursuant to Ordinance #755.
4. The proposed zoning designations for the Purdy area are compatible with the Pierce County land use designations.
5. The proposed zoning district changes to the Westside area are a recommendation of the citizens Westside Subarea Planning Committee, as established by the Mayor in July of 1997.
6. Several goals in the Comprehensive Plan relate to Economic Development and job opportunities within the city and its UGA. Increasing the availability of commercially zoned lands for those areas considered suitable by the Comprehensive Plan serves to implement the City's adopted economic development policies.
7. The C-1 and B-2 districts as proposed in the Westside area require that a 30 vegetated buffer be retained between the commercial use and the adjacent residential use or zone. Additionally, the City's Design Manual requires the retention of 20% of existing native over-story vegetation for all commercial developments.
8. The Zoning Code standards in conjunction with the Design Manual provide adequate performance standards to mitigate potential impacts from commercial uses adjacent to residential.

9. The proposed zoning district changes are consistent with the Comprehensive Land Use Plan for the sections stated and furthers the goals, policies and objectives of the Plan.
10. The proposed zoning district changes further the public's health, safety and general welfare by providing suitable locations for commercial development within the City of Gig Harbor.
11. The proposed zoning district changes will not have a substantial detrimental effect as future developments must be consistent with the City's adopted design standards and zoning code performance standards.

Staff recommends that the Planning Commission adopt proposed the findings and forward a recommendation to the City Council for the approval of the proposed land use designations.

Westside Sub-Area Planning Committee Recommendations

STREETS, SIDEWALKS AND TRANSPORTATION

1. Install sidewalks and curbing from Gig Harbor Motor Inn to the City Limits at Quail Run/Park (1998-99).
2. Improve and pave the graveled portion of 50th Street Court NW and install sidewalks on at least the south side of the roadway (1998-99).
3. Install sidewalks on at least the south side of Briarwood from Point Fosdick to 38th Avenue, with marked four way crosswalks at each intersection. (1998-99). This neighborhood is within the walking distance of the Peninsula School District, i.e., Goodman Intermediate and Harbor Heights Elementary. Extend sidewalks along 38th Avenue to the Schools.
4. Consider using traffic circles on Briarwood Lane as a measure to control traffic flow.
5. Although it is outside the City limits, determine, with the appropriate agencies, the feasibility of extending 36th street from 38th Avenue to Point Fosdick as a through street in order to carry traffic to and from Highway 16. (1998-1999). If necessary, work with Pierce County to affect a connection of 36th Street with 38th Avenue. This will help relieve to traffic on Briarwood Lane, which is a major concern of the residents and would provide safe walking for residents and workers in the area. Also, this should be considered a potential mitigation measure should 24th Street be closed off to SR-16 as a result of a new or expanded bridge.
6. Study and establish a plan and time table for a master traffic flow system for the annexed area to include the two existing Highway 16 interchanges and the Hunt Street over/under crossing of Highway 16. (1998-2000).
7. Study and establish a plan and timetable for traffic control at; 1) Hunt and 38th Avenue and 2) 38th Avenue and Olympic. (1998).
8. Widen Olympic Drive and 56th Street NW to 38th Avenue, to include curbing and sidewalks. (2000-2002).
9. Study and establish a public transportation plan, both short (one to five years) and long term (2010 to 2025), that includes bus stops, park and ride facilities and mass transit (RTA) stops. (1998-2000).

SEWER AND STORM WATER

1. Establish another ULID for the residential and commercial neighborhoods within the annexation area and outside the current ULID No. 2 to enable sewer connections by 2010. (1999-2000).

2. Review existing storm water systems and establish a master plan for their replacement or improvement (1998-1999).
3. Work with Pierce County to control and manage storm water run-off from developments in the county outside the Westside which affect existing properties within the Westside. Establish a Master plan for the development of "new" storm water systems required for the annexed area (1999-2002).
4. With the appropriate agencies or companies develop a plan for the placement of all utilities and storm systems underground (1998-2002).

LAND USE

1. Visually Sensitive Areas/Visual nodes – Consider amendments to the Design Guidelines to permit enhanced design components as opposed to outright screening for the commercial areas near the interchanges. Amend design manual to define "enhanced or extensive design review."
2. Define an area within the Westside which is suitable for a public park.
3. Amend the City Zoning Map for the Westside Area (attached) to include an additional 22 acres as C-1 (general commercial) and 26 acres as B-2 (commercial-business). All areas affected are designated Commercial/Business on the City of Gig Harbor Comprehensive Plan Land Use Map.

ENFORCEMENT ISSUES

1. Implement increased police protection for both residential and commercial needs, based upon the completed complement of officers (1997).
2. Increase traffic surveillance on Briarwood Land.
3. Noise abatement at the Narrows airport – Air traffic currently violates FAA regulations by using unauthorized approach vectors and altitude. The City should inform the City of Tacoma (owner of the Tacoma Narrows Airport) that FAA rules are not being enforced.

City of Gig Harbor Zoning Code Land Use Matrix (Feb 1996)

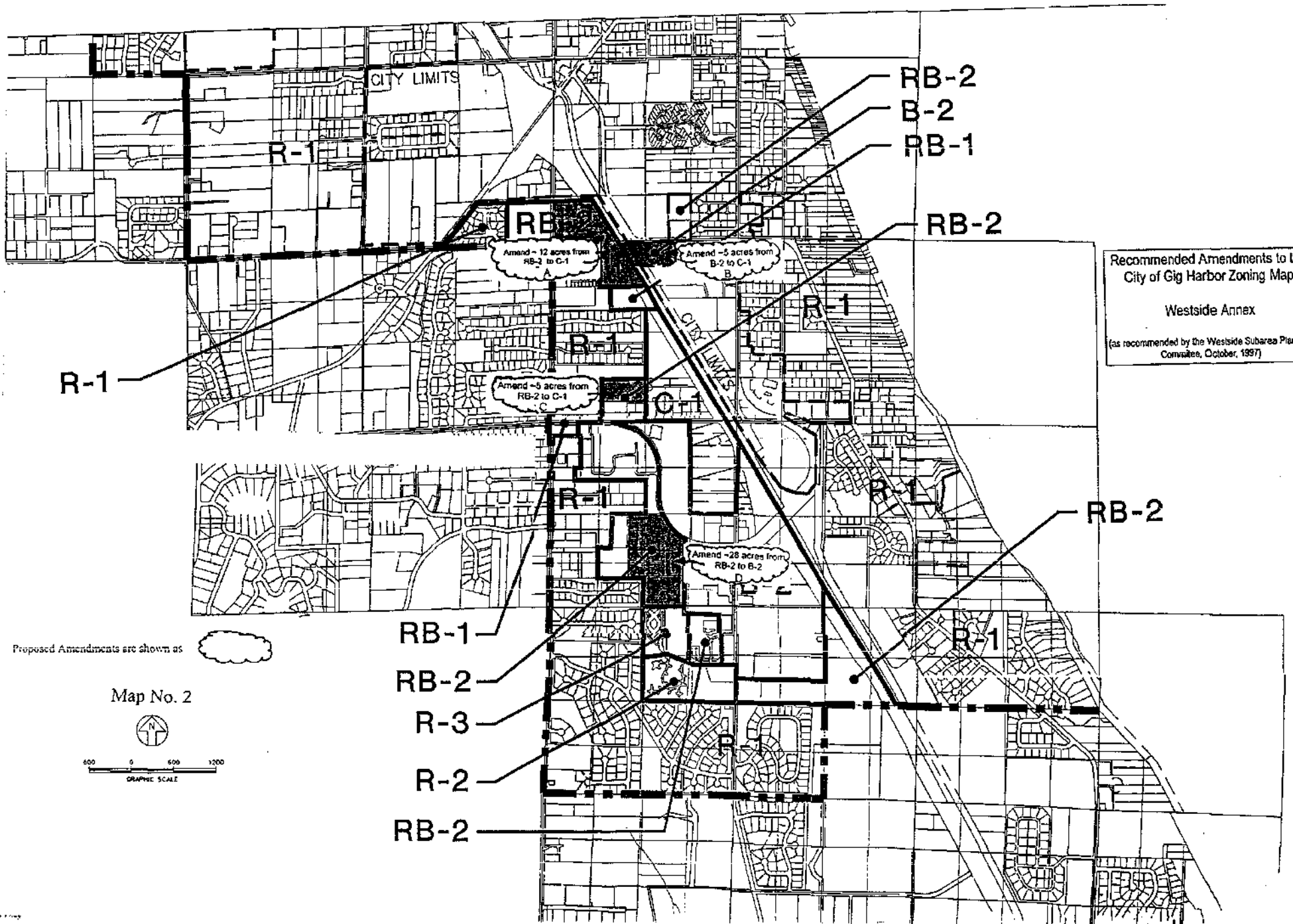
Land Use Categories and Types	Zoning District													
	R1	R2	R3	RB1	RB2	B1	B2	DB	C1	PI	ED	WR	WM	WC
Single Family Residential	P	P	C	P	P	-	C	C	C	-	-	P	P	P
Duplex Residential	-	P	P	-	P	P	-	C	C	-	-	P	P	P
Multifamily	-	-	P	-	P	-	-	C	C	-	-	-	-	C
Accessory Apts	C	-	-	-	-	-	-	-	-	-	-	-	-	-
Family Day Care	P	P	P	P	P	P	P	P	P	-	-	P	P	P
Adult Family Care	P	P	P	P	P	P	P	P	P	-	-	P	P	P
Public Facilities	C	C	C	C	C	C	C	C	C	P	C	C	C	C
Government Admin. Facilities	C	C	C	C	C	C	C	C	C	P	C	-	-	C
Schools	C	C	C	C	C	C	C	C	C	P	P	-	-	C
Churches	C	C	C	C	C	C	C	C	C	-	C	-	-	C
Home Occupations	P	P	P	-	-	P	-	-	-	-	-	P	-	-
Bed and Breakfast	C	C	C	P	P	C	-	P	-	-	-	C	C	C
Hotels/Motels	-	-	-	-	-	P	P	P	P	-	-	-	-	C
Public Parks	C	C	C	C	C	C	C	C	C	P	C	P	P	P
Professional Offices/Business	-	-	-	P	P	P	P	P	P	-	P	-	P	P
Banks/Lending Institutions	-	-	-	-	C	P	P	P	P	-	P	-	-	-
Private Clubs	-	-	C	-	P	C	-	C	C	-	-	-	-	-
Rental Halls	-	-	-	-	C	-	-	-	-	-	-	-	-	P
Mini-warehousing/storage	-	-	-	-	C	P*	C	-	C	-	C	-	-	-
Light Assembly	-	-	-	-	P*	-	C	C	P	-	P	-	-	-
Retail Sales/Service	-	-	-	C*	P*	P*	P	P	P	-	P*	-	P*	P
Commercial Recreation	-	-	-	-	-	-	P	P	P	-	C	-	-	P*
Gasoline Service	-	-	-	-	-	P	P	P	P	-	-	-	-	-
Car Washes	-	-	-	-	-	-	P	P	P	-	-	-	-	-
Wholesale Sales	-	-	-	-	-	-	P	P	P	-	-	-	-	-
Restaurant	-	-	-	-	-	-	P	P	P	-	-	-	-	P
Taverns	-	-	-	-	-	P	P	P	P	-	-	-	-	P
Light Manufacturing	-	-	-	-	-	-	C	C	P	-	P	-	P*	C*
Auto Sales/Service	-	-	-	-	-	-	-	-	P	-	-	-	-	-
Distribution Facilities	-	-	-	-	-	C	-	-	P	-	P	-	-	-
Hospitals/Medical Facilities	-	-	-	-	P	C	P	C	C	-	C	-	-	-
Senior Citizen Housing	-	-	-	-	-	C	-	-	C	-	C	-	-	-
Research and Development	-	-	-	-	-	-	-	-	-	-	P	-	-	-
Nursing Homes	-	-	-	-	-	C	-	-	C	-	-	-	-	-

P = permitted use; C = conditional use; (-) = not permitted; * = limitations apply - see zoning code.

City of Gig Harbor Zoning Code Matrix Minimum Performance Requirements

This matrix is for use as a general guide for the most commonly asked zoning questions. For parcel specific information, please consult with City Planning-Building Staff.

Zoning District	Minimum Standards						
	Minimum Lot Size (Sq. feet)	Front Yard Setback (in feet)	Side Yard Setback (in feet)	Rear Yard Setback (in feet)	Minimum Lot Width (feet)	Minimum Frontage (in feet)	Maximum Coverage
R-1 Single Family	12,000	25'	8'	30'	70'	20'	40%
R-2 Single Family/Duplex	7,000/ 14,000	25'	7' ≤ 12,000 ^{sq} ft 8' > 12,000 ^{sq} ft/duplex	25'	50' ≤ 12,000 ^{sq} ft 70' > 12,000 ^{sq} ft	20'	40%; 45% duplex 50% Nonresiden.
R-3 Multifamily	7,000 SFD 14,000 DFD 20,000 3+ (max 8 du/acre)	25'	8' 10' nonresidential.	25'SFD/duplex; 15' for 3+ units; 30' nonresidential.	70'	20'SFD/duplex; 0' for nonres. or 3+ units	40% SFD/duplex 50% nonresid. 60% multifamily
RB-1 Residential/Business (1)	12,000	20'	10'	15' 30' abutting R1/R2	70'	20' 50' Nonresidential	50% SFD 60% Nonresidential
RB-2 Residential/Business (2)	8 du/acre 12 du/acre conditional	20'	8'	15'; 40' if adj. to residential use or zone.	70'	Not Specified	55% 75% conditional
B-1 Retail	7,000	25' for residence; 30' for comm. next to residential district	8' for residence; 30' for comm. if next to residential district.	30'	Not Specified	Not Specified	70%
B-2 Retail	N/A	20'; 30' adjacent to residential development	5'; 30' adjacent to residential development	20'; 30' adjacent to residential development	Not Specified	Not Specified	70%
DB Downtown Business	6,000	Variable; 20' required adjacent to residential zone	Variable; 20' required adjacent to residential zone	Variable; 20' required adjacent to residential zone	50'	Not Specified	80%
WR Waterfront Residential	12,000 SFD 15,000 Duplex	20' 15' ≤ 7,000 ^{sq} ft	5' ≤ 12,000 ^{sq} ft; 8' > 12,000 ^{sq} ft 10' abutting street 10' nonresidential	0' abutting tidelands	70' 50' ≤ 12,000 ^{sq} ft	Not Specified	40%-50% 45% duplex 50% Nonresid
WM Waterfront Millville	12,000 SFD 15,000 Duplex/Nonres. 18,000 Triplex 21,000 Fourplex	20'	8'; 10' nonresidential or adjacent to street	0' abutting tidelands	70' SFD only 100'	Not Specified	50% SFD 55% multi 70% Nonresid
WC Waterfront Commercial	12,000	20'	8'; 10' for nonresidential; 0' if abutting tidelands.	15' if tidelands not owned; 0' otherwise.	70' SFD only 100'	Not Specified	50% SFD 55% Multi 70% Nonresid
C-1 Commercial-Light Industrial	6,000 (4 du/acre)	0'; 30' required next to residential district	0'; 30' required next to residential district.	0'; 30' required next to residential district.	Not Specified	Not Specified	80%
ED Employment District	None	50' from residential 20' from street	See prior	See prior	None Specified	None Specified	85%

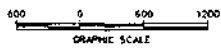


Recommended Amendments to the
 City of Gig Harbor Zoning Map
 Westside Annex
 (as recommended by the Westside Subarea Planning
 Committee, October, 1997)

Proposed Amendments are shown as



Map No. 2





City of Gig Harbor. The "Maritime City"

DEPARTMENT OF PLANNING & BUILDING SERVICES
3125 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-4278

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: RAY GILMORE, DIRECTOR, PLANNING-BUILDING DEPARTMENT
SUBJ.: PROPOSED REVISIONS TO CHAPTER 18.04 (SEPA POLICIES) - SECOND
READING OF ORDINANCE
DATE: MAY 6, 1998

INTRODUCTION/BACKGROUND

Attached is an ordinance which updates the City's Environmental Policy Ordinance (Chapter 18.04 GHMC). A synopsis of the proposed changes is provided in the attached letter from Jennifer Simpson, legal counsel on this project.

POLICY CONSIDERATIONS

The proposed revisions reflect changes to the State SEPA regulations, which became effective last year. The only additional change recommended by staff is the deletion of the posting requirements for SEPA notices. Staff feels that the City provides ample notice on SEPA project applications using publication (legal notices) and filing with the Department of Ecology's SEPA register.

At the last Council meeting, concern was expressed about the proposal to eliminate the property posting requirements for SEPA threshold determinations. It has been staff's experience over the past 9 years that the majority of interest from citizens has come from the real property listing mail-outs (to property owners within 300 feet), followed by the published notice in the Gateway.

Although we have not kept any records on public notice results, very few individuals have shown interest in the posted notices. Posted notices have several shortcomings as a public notice method:

- ◆ They are prone to theft or vandalism (just recently two posted notices were removed within 5 days of posting, one within 30 minutes of posting).
- ◆ They are posted on the property perimeter. If there is public access along the perimeter, one might pause to read the notice. If there is no public access (such as a street without a sidewalk), most likely it will be ignored.
- ◆ They generate citizen complaints on being unsightly (even for the small 8 1/2 x 11-inch notices the city posts. The County uses 2' x 3' signs on 4" x 4" posts for public hearing notices).

If the Council feels strongly that the posting method be retained, staff recommends that this section be amended to require the applicant to post the property and submit an "affidavit of

posting" within 5 days of the posting. This section could also reference Title 19 as to the specific requirements for posting the property. As an option to posting, the SEPA notice requirement made be amended to require notice of a SEPA threshold decision be mailed to real property owners within 300 feet of the project site. Currently, this is not a public notice requirement.

FISCAL CONSIDERATIONS

The adoption of this ordinance would not have a direct fiscal impact on the city.


RECOMMENDATION

This is the second reading of the ordinance. Staff recommends adoption of the revised code. If Council desires to change the ordinance, such changes made be instituted at this date.

MEMORANDUM

DATE: April 15, 1998

TO: Ray Gilmore, Gig Harbor Planning Director

FROM:  Jennifer Simpson, Office of City Attorney

RE: SEPA Rules Update

Late last year, the Department of Ecology adopted new SEPA rules which were added to chapter 197-11 WAC. Your current ordinance was reviewed in light of these new rules and an amending ordinance has been prepared to bring your code up to date. The revised ordinance is attached. This memo provides a brief summary of the changes in the SEPA rules which affect cities.

1. Timing Changes:

Throughout the SEPA rules, the deadline for certain actions has been modified from a 15-day limit to a 14-day limit. This new timeline is applicable to each of the following situations:

- Certain DNSs require a 14-day waiting period prior to agency action. WAC 197-11-070(2).
- When a DNS requires MTCA remedial action, the public comment period on the DNS shall be the same as the comment period on the MTCA document, "provided that for proposals listed in WAC 197-11-340(2)(a) the comment period shall be no less than 14 days prior to the effective date of the MTCA document." WAC 197-11-259.
- For DNSs which are issued under WAC 197-11-340(2), the agency shall provide public notice and receive comments for a period of 14 days. WAC 197-11-502.
- When a DNS is issued after a DS is withdrawn, the agency shall give notice and receive comments for 14 days. WAC 197-11-502.
- When a DNS issues, an agency is not permitted to act upon the proposal for 14 days after issuance of the DNS if the proposal involves (1) another agency with jurisdiction, (2) demolition of any nonexempt structure or facility, (3) issuance of a nonexempt clearing or grading permit, (4) a DNS under WAC 197-11-350(2), (3) or 197-11-360(4),

or (5) a GMA action. Additionally for these types of actions, comments may be submitted to the lead agency within 14 days of the issuance of the DNS and an agency with jurisdiction may assume lead agency status only within this 14-day period. WAC 197-11-340.

- Assumption of lead agency status shall occur within the 14-day comment period on a DNS issued under WAC 197-11-340(2)(a), or during the comment period on a notice of application when the optional DNS process is used. WAC 197-11-948.
- Threshold determinations on proposals listed in WAC 197-11-340(2) shall not be final until 14 days after issuance. WAC 197-11-390.
- If a GMA city issues a scoping notice with the notice of application under RCW 36.70B.110, the comment period shall be no less than 14 days. WAC 197-11-408.

2. New Optional DNS Process:

A new procedure has been added for use when a DNS is likely to issue. WAC 197-11-355. This procedure is discretionary. If the responsible official has a reasonable basis for determining that significant adverse environmental impacts are unlikely, the responsible official may elect to use the single integrated comment period. If this process is used, a second comment period will typically not be required when the DNS is issued. If this procedure is used, the notice and procedural requirements set forth in WAC 197-11-355 must be followed.

3. Reliance on Applicable Regulations During Project Review:

A new WAC section was adopted which permits the responsible official to find that the mitigation measures in the city's comprehensive plan or development regulations and other applicable local, state or federal regulations and comprehensive plans adopted under GMA will provide adequate analysis of and mitigation for some or all of the specific adverse environmental impacts of the project. WAC 197-11-158. If the city elects to use the mitigation and analysis of these other regulations, it need not require additional mitigation, but the procedure set forth in WAC 197-11-158 must be followed.

4. Planned Actions:

Three new WACs have been added regarding "planned actions": 197-11-164, 197-11-168, and 197-11-172. These rules provide that environmental review is not necessary for projects which meet the definition of a "planned action." Planned actions were part of regulatory reform which was adopted under Chapter 36.70B RCW in 1995. These new rules implement these regulatory reform provisions.

A "planned action" is a project action which:

- (1) is designated as a planned action by ordinance or resolution;
- (2) has had the significant environmental impacts adequately addressed in an EIS prepared in conjunction with a comprehensive or subarea plan, a fully contained community, a master planned resort, a master planned development, or a phased project;
- (3) is subsequent to or an implementing project for the proposal listed in paragraph 2 above;
- (4) is located within an urban growth area or within a master planned resort;
- (5) is not an essential public facility; and
- (6) is consistent with the comprehensive plan.

The city is required to limit planned actions to certain types of development or to specific geographical areas that are less extensive than the jurisdictional boundaries of the city. The city has the discretion to limit a planned action to a time period identified in the EIS or the designating ordinance or resolution. WAC 197-11-164.

Public notice of planned action is tied to the underlying permit. If notice is not required for the underlying permit, no special notice is required. WAC 197-11-172.

If you are considering adopting a "planned action" the requirements set forth in WAC 197-11-168 must be followed.

5. SEPA integration with GMA and Regulatory Reform:

a. General Processing.

- An additional "purpose" for the SEPA rules has been added to WAC 197-11-300 to provide for "integrating the environmental analysis required by SEPA into the project review process." The amended WACs contain a theme to limit the number of meetings, hearings, public notice and appeals to consolidate these processes as much as possible.
- If a DS is made concurrent with the notice of application, the DS and scoping notice shall be combined with the notice of application (RCW 36.70B.110). WAC 197-11-310(6).
- If an open record predecision hearing is required, the threshold determination shall be issued at least 15 days before the hearing. WAC 197-11-310(6).

- Public meetings held by a city under regulatory reform (chapter 36.70B RCW) may be used to meet SEPA public hearing requirements as long as the requirements for a public hearing under WAC 197-11-535 are met.

b. Appeals.

WAC 197-11-680 was amended to require consolidated appeals in compliance with regulatory reform (chapter 36.70B RCW). Appeal hearings on a DNS which is held before the agency's final decision on the project must be heard at the proceeding where the hearing body or officer will render a final recommendation or decision on the project. Additionally, the SEPA appeal shall consolidate any allowed appeals of procedural and substantive determinations under SEPA with a hearing or appeal on the underlying project in a single hearing before a single hearing body or officer. However, the following SEPA appeals do not need to be consolidated with the hearing on the underlying project: (1) appeal of a DS; (2) appeal of procedural determinations made by an agency when the agency was the project proponent, or is funding the project, and the agency decides to conduct its SEPA review prior to submitting the project application; (3) an appeal of a procedural determination made by an agency on a nonproject action; or (4) an appeal of the local legislative authority under RCW 43.21C.060 or other applicable state statute.

6. New Definitions:

WAC 197-11-721 which defines a "closed record appeal" and 197-11-775 which defines an "open record hearing" both implement regulatory reform which was adopted under Chapter 36.70B RCW.

7. New Categorical Exemptions:

Several new categorical exemptions were added to WAC 197-11-800.

- The annexation of territory by a city or town has been added to the definition of exempt "minor land use decisions." WAC 197-11-800(6).
- The issuance, renewal, reopening, or revisions of an air operating permit under RCW 70.94.161 has been added to the Clean Air Act exemptions. WAC 197-11-800(9).
- Actions pertaining to watershed restoration projects are exempt, provided they implement a watershed restoration plan which has been reviewed under SEPA (RCW 89.08.460(1)). WAC 197-11-800(26).
- Certain minor personal wireless service facilities are now exempt. However, this exemption will not apply to projects within a critical area designated under GMA. WAC 197-11-800(27).

Memorandum to Ray Gilmore, Gig Harbor Planning Director
April 15, 1998
Page 5

8. Impact Fee Limitation:

WAC 197-11-914 has been amended to limit the payment of multiple impact fees for the same project. The new subsection provides: "A person required to pay an impact fee for system improvements under RCW 82.02.050 through 82.02.090 shall not be required to pay a fee under SEPA for the same system improvements." WAC 197-11-914(2).

Enclosure

JLS185410.1SM/0005.900000

0008.150.013
JLS
04/08/98
R: 04/17/98

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO ENVIRONMENTAL REVIEW AND IMPLEMENTATION OF THE STATE ENVIRONMENTAL POLICY ACT (SEPA) (CHAPTER 43.21C RCW); INCORPORATING AND ADOPTING THE REVISED SEPA RULES (CHAPTER 197-11 WAC) WHICH WERE RECENTLY ADOPTED BY THE DEPARTMENT OF ECOLOGY; ADOPTING THE FOLLOWING NEW WASHINGTON ADMINISTRATIVE CODE SECTIONS BY REFERENCE: WAC 197-11-158, -164, -168, -172, -210, -220, -259, -355, -721, AND -775 AND MAKING TITLE 18 CONSISTENT THEREWITH; REVISING TIME PERIODS FOR CHANGING LEAD AGENCY STATUS, ACTING ON A MITIGATED DETERMINATION OF NONSIGNIFICANCE, AND FILING CERTAIN SEPA APPEALS; CREATING AN OPTIONAL DETERMINATION OF NONSIGNIFICANCE PROCESS; MODIFYING PUBLIC NOTICE REQUIREMENTS FOR THRESHOLD DETERMINATIONS; AMENDING SECTIONS 18.04.020, 18.04.050(C), 18.04.060, 18.04.120(E), 18.04.160, 18.04.230(B) AND (H), AND 18.04.250; ADDING A NEW SECTION 18.04.123 TO THE GIG HARBOR MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Department of Ecology has recently adopted new SEPA rules which were incorporated into Chapter 197-11 WAC; and

WHEREAS, Title 18.04 of the Gig Harbor Municipal Code (Environmental Review) needs to be amended to incorporate these changes; NOW, THEREFORE

BE IT ORDAINED by the City Council of the City of Gig Harbor, Washington

as follows:

Section 1. Section 18.04.020 of the Gig Harbor Municipal Code is hereby amended to read as follows:

18.04.020 Adoption by reference.

The city adopts the following sections of Chapter 197-11 WAC, as now existing or hereinafter amended, by reference:

- 197-11-040 Definitions.
- 197-11-050 Lead agency.
- 197-11-055 Timing of SEPA process.
- 197-11-060 Content of environmental review.
- 197-11-070 Limitations on actions during SEPA process.
- 197-11-080 Incomplete or unavailable information.
- 197-11-090 Supporting documents.
- 197-11-100 Information required of applicants.
- 197-11-158 GMA project review — Reliance on existing plans, laws, and regulations.
- 197-11-164 Planned actions — Definition and criteria.
- 197-11-168 Ordinances or resolutions designating planned actions — Procedures for adoption.
- 197-11-172 Planned actions — Project review.
- 197-11-210 SEPA/GMA integration.
- 197-11-220 SEPA/GMA definitions.
- 197-11-225 Purpose, policy applicability and definitions.
- 197-11-228 Overall integration procedures.

- 197-11-230 Timing of an integrated GMA/SEPA process.
- 197-11-232 Integration procedures for preliminary planning, environmental analysis and expanded scoping.
- 197-11-235 Integrating documents.
- 197-11-259 Determination of nonsignificance for MTCA remedial action.

Section 2. Section 18.04.050(C) of the Gig Harbor Municipal Code is hereby

amended to read as follows:

18.04.050 Lead agency determination and responsibilities.

* * * * *

C. If the city, or any of its departments, receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within ~~15~~ 14 days of receipt of the determination or the city must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the ~~15-day~~ 14-day time period. Any such petition on behalf of the city may be initiated by the responsible official or any department.

* * * * *

Section 3. Section 18.04.060 of the Gig Harbor Municipal Code is hereby

amended to read as follows:

18.04.060 Categorical exemptions and threshold determinations Adoption by reference.

The city adopts the following sections of Chapter 197-11 WAC, as now existing or hereinafter amended by reference as supplemented in this chapter:

- 197-11-300 Purpose of this part.
- 197-11-305 Categorical exemptions.
- 197-11-310 Threshold determination required.
- 197-11-315 Environmental checklist.
- 197-11-330 Threshold determination process.
- 197-11-335 Additional information.
- 197-11-340 Determination of nonsignificance (DNS).
- 197-11-350 Mitigated DNS.
- 197-11-355 Optional DNS process.
- 197-11-360 Determination of significance (DS)/
initiation of scoping.

Section 4. Section 18.04.120(E) of the Gig Harbor Municipal Code is hereby amended to read as follows:

18.04.120 Threshold determinations - Mitigated DNS.

* * * * *

E. The city shall not act upon a proposal for which a mitigated DNS has been issued for ~~15~~ 14 days after the date of issuance; provided, that the requirements of this section shall not apply to a DNS issued pursuant to the Optional DNS Process described in GHMC §18.04.123.

* * * * *

Section 5. A new section 18.04.123 is hereby added to the Gig Harbor Municipal Code to read as follows:

18.04.123 Optional DNS Process.

A. If the responsible official has a reasonable basis for determining that significant adverse environmental impacts are unlikely, the responsible official may elect to use the single integrated comment period set forth in this section. If this process is used, a second comment period will typically not be required when the DNS is issued.

B. If the optional process set forth in this section is used, the responsible official shall:

1. State on the first page of the notice of application that it expects to issue a DNS for the proposal, and that

(a) the optional DNS process is being used;

(b) this may be the only opportunity to comment on the environmental impacts of the proposal;

(c) the proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(d) a copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the city may maintain a general mailing list for threshold determination distribution).

2. List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

3. Comply with the requirements for a notice of application and public notice in GHMC § 19.03.001; and

4. Send the notice of application and environmental checklist to:

(a) Agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(b) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the city may maintain a general mailing list for checklist distribution).

C. If the responsible official indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application in accordance with GHMC § 18.04.050, WAC 197-11-940 and WAC 197-11-948.

D. The responsible official shall consider timely comments on the notice of application and either:

1. Issue a DNS or mitigated DNS with no comment period using the procedures in subsection E below;

2. Issue a DNS or mitigated DNS with a comment period using the procedures in subsection E below, if the responsible official determines a comment period is necessary;

3. Issue a DS; or

4. Require additional information or studies prior to making a threshold determination.

E. If a DNS or mitigated DNS is issued under subsection D(1) or D(2) above, the responsible official shall send a copy of the DNS or mitigated DNS to the Department of Ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

Section 6. Section 18.04.160 of the Gig Harbor Municipal Code is hereby amended to read as follows:

18.04.160 Public notice.

Whenever the city issues a threshold determination, or EIS requiring public notice, the city shall give public notice of the determination or the availability of the environmental documents and whether any public hearing will be held as follows:

A. **Threshold Determination Notice.** Public notice will be given on the following situations:

1. DNS involving another agency with jurisdiction;

2. DNS involving demolition of any structure or facility not exempted by WAC 197-11-800(2)(f) or WAC 197-11-880;

3. DNS involving issuance of clearing or grading permits not exempted under WAC Part Nine - Categorical Exemptions;

4. DNS under WAC 197-11-350(2) Early Notice;

- DNS;
- 5. DNS under WAC 197-11-350(3) Mitigated
- DS to DNS;
- 6. DNS under WAC 197-11-360(4) change from
- 7. DS for scoping purposes;
- 8. Availability of a DEIS.

B. Type of Notice. Under subsection A of this section, notice will be given as follows:

- ~~1. Posting the site of the proposed action;~~
- 1. ~~2.~~ SEPA register;
- 2. ~~3.~~ Publication in the official newspaper for the city of Gig Harbor.

C. Public Hearing. Whenever a public hearing is held notice shall be given. Such notice shall precede the hearing by at least 15 days.

D. Type of Notice. Under subsection C of this section, notice will be given as follows:

- 1. Posting on or near the property or publication in the official newspaper of the city of Gig Harbor for site specific proposals;
- 2. Mailing to property owners within 300 feet for site specific proposals.

Section 7. Section 18.04.230(B) and (H) of the Gig Harbor Municipal Code is hereby amended to read as follows:

18.04.230 Appeals.

* * * * *

B. All SEPA appeals must be filed in writing with the responsible official within 14 calendar days of ~~the date of the SEPA decision after notice of a final decision is issued pursuant to GHMC §19.05.009 or after other notice that the decision has been made and is appealable;~~ provided, that in order to allow public comment on a DNS prior to requiring an appeal to be filed, this appeal period shall be extended for an additional seven (7) days. The hearing date for appeals of declarations of significance issued before a decision on the permit, shall be not more than 45 days from the date the appeal is filed.

* * * * *

H. If a time limit is established by statute or ordinance for commencing a judicial appeal of the project permit, the responsible official shall give official notice whenever it issues a permit or approval for which a statute or ordinance establishes a time limit for commencing a judicial appeal of the date and place for commencing the appeal. The notice shall include:

(1) notice that any SEPA issues must be appealed within the time limit set by statute or ordinance for appealing the underlying governmental action,

(2) the time limit for commencing the appeal of the underlying governmental action and SEPA issues, and the statute or ordinance establishing the time limit, and

(3) where the appeal may be filed.

Written notice shall be provided to the applicant, all parties to any administrative appeal, and all persons who have requested notice of decisions concerning the project. Such notice may be appended to the permit, the decision documents, the SEPA compliance documents, or may be printed separately.

* * * * *

Section 8. Section 18.04.250 of the Gig Harbor Municipal Code is hereby amended to read as follows:

18.04.250 Definitions - Adoption by reference.

The city adopts the following sections of Chapter 197-11 WAC, as now existing or hereafter amended, by reference, as supplemented in this chapter:

197-11-700	Definitions.
197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.
197-11-714	Agency.
197-11-716	Applicant.
197-11-718	Built environment.
197-11-720	Categorical exemption.
<u>197-11-721</u>	<u>Closed record appeal.</u>
197-11-722	Consolidated appeal.
197-11-724	Consulted agency.
197-11-726	Cost-benefit analysis.
197-11-728	County/city.
197-11-730	Decision maker.
197-11-732	Department.
197-11-734	Determination of nonsignificance (DNS).
197-11-736	Determination of significance (DS).
197-11-738	EIS.
197-11-740	Environment.
197-11-742	Environmental checklist.
197-11-744	Environmental document.
197-11-746	Environmental review.
197-11-750	Expanded scoping.
197-11-752	Impacts.
197-11-754	Incorporation by reference.
197-11-756	Lands covered by water
197-11-758	Lead agency.
197-11-760	License.
197-11-762	Local agency.
197-11-764	Major action.
197-11-766	Mitigated DNS.
197-11-768	Mitigation.
197-11-770	Natural environment.
197-11-772	NEPA.

197-11-774 Nonproject.
 197-11-775 Open record hearing.
 197-11-776 Phased review.
 197-11-778 Preparation.
 197-11-780 Private project.
 197-11-782 Probable.
 197-11-784 Proposal.
 197-11-786 Reasonable alternative.
 197-11-788 Responsible official.
 197-11-790 SEPA.
 197-11-792 Scope.
 197-11-793 Scoping.
 197-11-794 Significant.
 197-11-796 State agency.
 197-11-797 Threshold determination.
 197-11-799 Underlying governmental action.

Section 9. Codes adopted by Reference. Pursuant to RCW 35A.12.140, one copy of the Washington Administrative Code sections adopted by reference herein have been and are now on file with the City Clerk and are available for examination by the public.

Section 10. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this ordinance.

Section 11. Effective Date. This ordinance shall take effect and be in full force and effect five (5) days after its passage, approval and publication as required by law.

PASSED by the Council of the City of Gig Harbor, this day of _____
 _____, 1998.

APPROVED:

 GRETCHEN A. WILBERT, MAYOR

ATTEST:

By: _____
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF CITY ATTORNEY

By: _____
CAROL A. MORRIS

Filed with City Clerk: _____
Passed by City Council: _____
Date Published: _____
Date Effective: _____

SUMMARY OF ORDINANCE NO. _____

of the City of Gig Harbor, Washington

On the _____ day of _____, 1998, the City Council of the City of Gig Harbor, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO ENVIRONMENTAL REVIEW AND IMPLEMENTATION OF THE STATE ENVIRONMENTAL POLICY ACT (SEPA) (CHAPTER 43.21C RCW); INCORPORATING AND ADOPTING THE REVISED SEPA RULES (CHAPTER 197-11 WAC) WHICH WERE RECENTLY ADOPTED BY THE DEPARTMENT OF ECOLOGY; ADOPTING THE FOLLOWING NEW WASHINGTON ADMINISTRATIVE CODE SECTIONS BY REFERENCE: WAC 197-11-158, -164, -168, -172, -210, -220, -259, -355, -721, AND -775 AND MAKING TITLE 18 CONSISTENT THEREWITH; REVISING TIME PERIODS FOR CHANGING LEAD AGENCY STATUS, ACTING ON A MITIGATED DETERMINATION OF NONSIGNIFICANCE, AND FILING CERTAIN SEPA APPEALS; CREATING AN OPTIONAL DETERMINATION OF NONSIGNIFICANCE PROCESS; MODIFYING PUBLIC NOTICE REQUIREMENTS FOR THRESHOLD DETERMINATIONS; AMENDING SECTIONS 18.04.020, 18.04.050(C), 18.04.060, 18.04.120(E), 18.04.160, 18.04.230(B) AND (H), AND 18.04.250; ADDING A NEW SECTION 18.04.123 TO THE GIG HARBOR MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this _____ day of _____, 1998.

CITY CLERK, MOLLY TOWSLEE



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: WES HILL, P.E., PUBLIC WORKS DIRECTOR *Wes Hill*
SUBJECT: JERISICH PARK DOCK - AMENDMENT TO CONSULTANT SERVICES CONTRACT
DATE: MAY 5, 1998

INTRODUCTION/BACKGROUND

On March 10, 1997, Council approved a Consultant Services Contract with the coastal and civil engineering firm of Layton and Sell, Inc., P.S., to design and provide construction support services for the Jerisich Dock Improvement Project.

The improvement project is essentially complete at this time. The new dock provides increased moorage capacity (float length and internal piling blockouts), improved public access (ramp, float length and width), and improved safety, function, and aesthetics (fire protection, width, bullrails, lighting, steel and concrete piling). As the project has neared completion, requests have been received to add power and potable water for boaters using the new dock.

During the conceptual design phase for the project, a key element was the provision for maximum flexibility to accommodate future improvements. Following public comments and an evaluation of costs, it was determined that there was insufficient need, support facilities, and budget for inclusion of water and power connections with the current project. It was anticipated that water and power could be added later either as a separate project or in conjunction with other improvements depending on the demand and available funds.

Based on the number of direct and indirect requests and inquiries, we have explored the costs for adding power and potable water to the dock floats. The preliminary construction cost estimate for adding four potable water standpipes with hose bibs (connected to a dedicated potable water supply line), and 12-power pedestals (six each on both sides of the dock) is approximately \$40,000. This estimate includes substantial modifications to the upland power supply, and anticipates that a portion of this work could be accomplished with the electrical system undergrounding work performed under the Rosedale Street Improvement Project scheduled to begin later this year.

If Council would like these improvements added to the existing dock, engineering effort will be needed to develop viable options, and to prepare the contract plans, specifications, and estimates for the improvements. Insufficient staff resources are available to perform the necessary design work. One option is to extend the consultant services agreement with Layton and Sell. Their firm is familiar with Jerisich Park Dock, and they have excellent qualifications and experience in all aspects of marina design.

Design and preparation of the contract documents could take approximately three months. Bid advertisement, contract award and construction are estimated to take approximately another three

months, including material delivery. This schedule could be compressed two weeks with the small works roster process with the risk of slightly higher prices.

FISCAL CONSIDERATIONS

Funds for this work have not been specifically budgeted. The original consultant services contract with Layton and Sell, Inc., P.S., was for the not-to-exceed amount of \$35,484. The construction contract was awarded to Hurlen Construction Company in the amount of \$358,800.00, plus State of Washington sales tax, for a total contract amount of \$387,504. Property acquisition funds were used to supplement the amount budgeted for construction. The following sources are proposed for the contract amendment and the additional improvements:

1. Drinking Fountains. Defer work until 1999 (\$7,000).
2. City Park at Crescent Creek. Defer development and implementation of park improvements (Item 8 – Conceptual development plan, \$30,000, Item 9 – Electrical system improvements, \$20,000) for a total of \$50,000.

RECOMMENDATION

If Council desires to initiate the design for the water and electrical system improvements for the dock, I recommend that Council move and approve execution of an amendment to the Consultant Services Contract with Layton and Sell, Inc., P.S. in the not-to-exceed amount of six-thousand five-hundred dollars and no cents (\$6,500), and extending the contract time, for professional services for design and technical support for construction of a new water line with standpipes and hose bibs, and power supply pedestals for the Jerisich Park Dock.



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: WES HILL, P.E., PUBLIC WORKS DIRECTOR *Wes Hill*
SUBJECT: PRINTER PURCHASE
DATE: MAY 6, 1998

INTRODUCTION/BACKGROUND

Presently, Public Works staff utilizes a CalComp, 8-pen drum plotter for production of draft working drawings and final construction plans. The pen plotter is primarily suited for limited production, and "D" and "E" size drawings (22-inch by 34-inch, and 24-inch by 36-inch). In many cases, half-scale drawings using an 11-inch by 17-inch standard paper ("C" size) are used for contract documents to facilitate field use.

Plotting a typical roadway plan and profile sheet on C, D, or E size paper can take in excess of an hour to print. The computer operator is not fully available during this time since the print process needs to be monitored for any problems, and to remove the completed print in order to initiate plotting of the next plan sheet. This is especially frustrating when plotting preliminary drawings for review, and when working on larger projects such as the East-West Road which will have in excess of 30-plan sheets.

Following the arrival of the Project Engineer, who has considerable computer-aided-design and drafting experience, and his assignment to complete the design of the East-West road, the plotter's limitations have become more apparent, as has a potential solution. Hewlett Packard (HP) offers several laser printers capable of printing in a C size format, with a rated processing speed of 16-pages per minute and sufficiently high resolution for construction plan drawings. The recommended unit is an HP LaserJet 5000 printer with a sixteen-megabyte memory upgrade, which can be purchased through the State of Washington Department of Information Services (DIS).

FISCAL CONSIDERATIONS

Funds for this item were not specifically budgeted. Considering the primary near-term use of this printer, it is recommended that the East-West Road budget be used to fund acquisition of this printer.

RECOMMENDATION

I recommend that the Council authorize purchase of an HP LaserJet 5000 printer, including memory upgrade and network connection hardware, through the State of Washington Department of Information Services for the not to exceed amount of two-thousand dollars (\$2,000.), including state sales tax.



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(253) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: DAVID RODENBACH DR
SUBJECT: PAYROLL SYSTEM UPGRADE
DATE: MAY 5, 1998

BACKGROUND

The City is currently processing payroll with Eden Systems payroll application version 3.5. This application was purchased several years ago and is in need of replacement as it is no longer adequate to process payroll. Also, the current system is not year 2000 compliant.

In considering the upgrade, we considered whether or not outsourcing payroll would be a viable alternative. In addition to a quote from Eden Systems, we obtained quotes from three payroll processing vendors, Automatic Data Processing, Inc. (ADP), Ceridian Employer Services, and BTS Payright. A matrix comparing Eden with the outsource alternatives is attached.

POLICY CONSIDERATIONS

The comparison shows that upgrading our current system is the least expensive and most viable option for the city. While each outsourcing option has some interesting features, it has yet to be proven that an outside service could adequately serve the City's needs. We visited a city using one of the vendors and found they were experiencing numerous problems processing payroll. There are several examples of local municipalities attempting to use an outside vendor for payroll and ultimately purchasing the Eden payroll module.

If we upgrade our current system, we know it will work, however, if we outsource, we cannot be certain what the effect on City services will be.

FISCAL CONSIDERATIONS

Over a period of at least 4 years the lowest cost alternative is to upgrade our current system.

RECOMMENDATION

Staff recommends a council motion to upgrade our current payroll system to Eden Systems Payroll 5.0.

	Initial Outlay	Annual Cost	1st Year Total	3 Year Total	4 Year Total	4 Year Avg.
Eden Systems	\$ 12,218	\$ 1,403	\$ 13,621	\$ 16,427	\$17,830	\$4,457
ADP	\$ 5,375	\$ 4,579	\$ 9,954	\$ 19,112	\$23,691	\$5,923
BTS Payright	\$ 4,300	\$ 3,875	\$ 8,175	\$ 15,925	\$19,800	\$4,950
Ceridian	\$ 5,535	\$ 3,620	\$ 9,155	\$ 16,395	\$20,015	\$5,004

Initial Outlay for all the outsource options includes an estimated \$4,000 for Eden systems to write a general ledger interface to upload monthly payroll.

Common factors relating to all options:

- All options are year 2000 compliant.
- Time spent each month processing payroll is expected to be approximately 1 – 2 weeks under all options.
- The reports and processing are all similar.
- Interface with Eden Systems (to upload labor distribution to General Ledger) is needed for each outsource option, and is estimated to cost \$4,000. This estimate has been included in the initial outlay figure provided in the table.
- Payroll processor bears cost of future software upgrades.
- We are subject to future cost increases.

Eden Systems - has supported and filled the City's financial software needs for the last 10 years.

Advantages:

- System will meet our current and future needs to process payroll.
- Labor distribution will interface with our current general ledger.
- Payroll module includes job costing.

Disadvantages:

- We retain tax-filing responsibilities. If we outsource, the provider performs this function.

Automatic Data Processing, Inc., (ADP) – One of the largest transaction processing companies, currently processes payroll for the Cities of Seattle and Shoreline.

Advantages:

- Software is a Windows - based application.
- ADP will calculate, file, deposit and reconcile federal and state taxes.
- Employees have more direct deposit options.

Disadvantages:

- Cost averages out to \$5,900 per year over 4 years.
- Direct deposits are deducted from the City's account prior to the City receiving payroll reports. This increases the risk of overpayments to employees.

- We visited a city using ADP and found they were experiencing numerous problems with payroll processed by ADP.
- We are subject to future cost increases.

BTS Payright - is a local payroll services company with an office located in Tukwila.

Advantages:

- Over 3 years this is the lowest cost option.
- Payroll services are similar to ADP.

Disadvantage:

- No municipal clients from whom we could get a reference.

Ceridian – is the largest supplier of Human Resource/Payroll solutions.

Advantages:

- Ceridian assumes liability for accurate and timely tax deposits and filings.
- Payroll services are similar to ADP.

Disadvantages:

- More expensive than EDEN Systems upgrade.
- Ceridian focuses on medium and larger sized companies.

C090080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 5/04/98

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR
(BY ZIP CODE) FOR EXPIRATION DATE OF 7/31/98

LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	CLASSES
1 KU ACQUISITION CORPORATION	STOCK MARKET FOODS #332 5500 OLYMPIC DR BLDG B GIG HARBOR WA 98335 0000	076448	E F

RECEIVED

MAY 6 1998

CITY OF GIG HARBOR



STATE OF WASHINGTON
WASHINGTON STATE LIQUOR CONTROL BOARD
1025 E Union • PO Box 43098 • Olympia WA 98504-3098 • (360) 664-0012

Notice to Local Authorities Regarding Procedure for Objecting to Liquor License Renewal

The attached list of liquor licensed premises in your jurisdiction will expire in approximately 60 days. The procedure for objecting to a license renewal is as follows:

- Fax or mail a letter detailing the reason(s) for your objection. **This letter must be received at least 15 days before the liquor license expires.**
- When your objection is received, our licensing staff will prepare a report for review by the Board. This report will include your letter of objection, a report from the Liquor Control Agent who covers the licensed premises, and a record of any past liquor violations. The Board will then decide to either renew the liquor license, or to proceed with non-renewal.
- If the Board decides not to renew a license, we will notify the licensee in writing, stating the reason for this decision. The non-renewal of a liquor license may be contested under the provisions of the Administrative Procedure Act (as provided by RCW 66.08.150 and Chapter 35.05 RCW). Accordingly, the licensee may request a hearing before an administrative law judge. If a hearing is requested, you will be notified and required to present evidence at the hearing to support your recommendation. The Administrative Law Judge will consider the evidence, and issue an Initial Order for the Board's review. The Board has final authority to renew the liquor license, and will subsequently enter a Final Order announcing its decision.
- If the Board decides to renew the license over your objection, you may also request a hearing, following the aforementioned procedure.
- You or the licensee may appeal the Final Order of the Board to the superior court for judicial review (under Chapter 34.05 RCW).
- During the hearing and any subsequent appeal process, the licensee is issued a temporary operating permit for the liquor license until a final decision is made.

Please call me if you have any questions on this process. Thank you.

Sincerely,

Chuck Dalrymple
Manager, Licenses and Permits
Licensing and Regulation
(360) 753-6259
Fax (360) 753-2710

Attachment

MAYOR'S REPORT

May 11, 1998



Council Retreat Notice

May 21st – The Inn at Gig Harbor

2:00 p.m. – 7: 00 p.m.

Please submit your list of suggested discussion items to me by Wednesday, May 13th. We look forward to addressing as many concerns as possible in the time scheduled.

Many projects are “on the table” in each department. Each department head will give a brief update and be available to respond to your questions.

Thank you for availing yourself for this very important interaction. Now is the time, when we will all be together in the same room to listen to each other and begin to set the agenda for 1999.

